

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 SYNAPSIS, LLC,

NO. C 05-1524 JF (RS)

12 Plaintiff,

13 v.
**ORDER CONTINUING HEARING
ON MOTION TO COMPEL**

14 EVERGREEN DATA SYSTEMS, INC. et al,

15 Defendants.

16 _____ /
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18 Before the Court is plaintiff's motion to compel, presently scheduled to be heard on April 11,
19 2007. Defendants' opposition to the motion was not timely-filed, because defendant "was under the
20 mistaken belief that this Motion had never made it on to this Court's calendar." It appears that at
21 least up until the time the opposition was filed, the meet and confer efforts between the parties to
22 address the issues raised by the motion were inadequate, despite the fact that the Court had expressly
23 noted the need for such efforts in its order filed on March 8, 2007, denying plaintiff's request for an
24 order shortening time. It also appears that many, if not most, of the issues raised by the motion may
25 have now been resolved. Plaintiff, however, has not filed a reply brief. Accordingly, the record is
26 such that the Court cannot effectively determine the scope of matters remaining in dispute or
27 evaluate the extent to which any such remaining disputes should be resolved through further meet
28 and confer efforts rather than by Court intervention.

1 Therefore, good cause appearing, IT IS ORDERED:

- 2 1. The hearing on the motion to compel is continued to May 2, 2007.
- 3 2. The parties shall engage in further meet and confer negotiations forthwith to attempt to
- 4 resolve any disputes that may remain.
- 5 3. Should such meet and confer efforts fail to resolve all remaining disputes, plaintiff shall
- 6 file its reply brief no later than April 20, 2007, and shall clearly state therein which issues remain to
- 7 be decided.

8

9 IT IS SO ORDERED.

10 Dated: April 6, 2007



RICHARD SEEBORG
United States Magistrate Judge

United States District Court
For the Northern District of California

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER WAS ELECTRONICALLY
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11 Counsel are responsible for distributing copies of this document to co-counsel who have not
12 registered for e-filing under the court's CM/ECF program.

13 Dated: April 6, 2007

14
15 /s/ BAK
16 Chambers of Magistrate Judge Richard Seeborg
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